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In re Application of :  
Abreu et al. :  
Application No.: 10/526,256 :  
Int. App. No.: PCT/US03/23926 :  
Int. Filing Date: 30 July 2003 :  
Priority Date: 30 August 2002 : **DECISION**  
Attorney Docket No.: 066783-0152 :  
For: Mutations In NOD2 Are Associated With :  
Fibrostenosing Disease In Patients With Crohn's... :

This is in response to the "Response To Notification Of Missing Requirements..." filed on 17 January 2006.

### **BACKGROUND**

International Application No. PCT/US04/04740 was filed on 30 July 2003, claimed a priority date of 30 August 2002, and designated the United States. The 30 month period to pay the basic national fee in the United States expired at midnight on 28 February 2005. Applicants filed *inter alia* the basic national fee on 28 February 2005.

On 17 June 2005, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring the submission of an oath or declaration in compliance with 37 CFR 1.497(a) and (b).

On 30 January 2006, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed, indicating that this international application had become abandoned with respect to the national stage in the United States for failure to timely reply to the Form PCT/DO/EO/905 mailed on 17 June 2005.

### **DISCUSSION**

Review of the record reveals that the instant Response (requesting an extension of time under 37 CFR 1.136(a)) was received within the extendable time period for response to the Form PCT/DO/EO/905 mailed on 17 June 2005. As such, the 30 January 2006 Notification of Abandonment (Form PCT/DO/EO/909) was premature, and it is hereby **VACATED**.


Inspection of the declaration filed on 17 January 2006 reveals that it appears to have been assembled from separate individual sheets listing the inventor(s) who signed each such sheet. Since counsel has not presented complete copies of the declaration documents signed by each inventor, it is not clear that each inventor had the benefit of having a complete declaration document prior to signing. Counsel is required to submit complete copies of each signed declaration document.

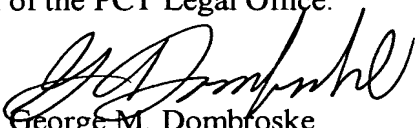
**CONCLUSION**

The declaration filed on 17 January 2006 is **NOT ACCEPTED**, without prejudice.

Applicant must file a proper response as described hereinabove within **ONE (1) MONTH** of the mailing date of this Decision.<sup>1</sup> Extensions of time under 37 CFR 1.136(a) are **NOT** available. Failure to timely file such a response will result in **ABANDONMENT**.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Mail Stop PCT, Alexandria, VA 22313-1450, with the contents of the letter marked to the attention of the PCT Legal Office.

  
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<sup>1</sup>It is noted that the time period in which to respond to the 17 June 2005 Notification of Missing Requirements (Form PCT/DO/EO/905), as extended under 37 CFR 1.136(a), expired on 17 January 2006.